

AUG 14 2007

Application No.: 10/563,824
Amendment Dated: August 14, 2007
Reply to Office Action of: June 14, 2007

MAT-8792US

Remarks/Arguments:

Applicants' disclosure is directed to a portable telephone capable of automatically dialing back a phone number associated with an incoming phone call. In one embodiment, the incoming call is terminated and the phone stores the incoming phone number. Pursuant to that embodiment, if, after the incoming call is terminated, the casing of the portable telephone is opened and the incoming phone number matches an auto-dial phone number stored in the portable telephone, the portable telephone automatically dials the incoming phone number.

Claims 1 and 6-8 stand rejected under 35 U.S.C. § 103(a) as obvious over Opela et al. (U.S. Patent No. 7,039,443) and Chow et al. (U.S. Patent No. 6,961,559). It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

Opela is directed to a portable telephone capable of performing an automatic dial function. The automatic dial function requires a user to enter information about a telephone to be dialed. The portable telephone dials the phone number corresponding to the entered information when it detects that the phone's casing has been opened.

Chow discloses, in relevant part, automatically dialing an incoming telephone number after the incoming call is terminated.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

- ...a first memory part for memorizing an incoming call history data...
- ...a second memory part for storing telephone directory data, the telephone directory data including at least one phone number to be automatically dialed...
- ...a phone number comparison part for comparing the at least one incoming phone number in the first memory part with the at least one phone number to be automatically dialed stored in the second memory part.

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This means that, before dialing back an incoming phone number, the comparison part compares the incoming phone number with at least one automatic dial phone number. This feature is found in the originally filed application at page 13, lines 19-23 and FIG. 4. No new matter has been added.

Opela discloses a portable phone 200. The portable phone dials a phone number in response to detecting that the phone's casing has been opened and in response to the phone receiving a phone number the user has entered. The Examiner admits that Opela does not disclose Applicants' phone number comparison part, as recited above.

Chow discloses, in relevant part, automatically dialing an incoming telephone number after the incoming call is terminated. The Examiner interprets Applicants' "phone number to be automatically dialed" and "incoming phone number in the memory part" to be the same phone number. Accordingly, the Examiner argues that Chow's disclosure of automatically dialing an incoming telephone number after the incoming call terminated is the same as Applicants' comparison part and automatic dialing part.

The "phone number to be automatically dialed" and the "incoming phone number in the memory part" are, however, different phone numbers. As claimed in Applicants' amended claim 1, Applicants' phone includes first and second memory parts. The first memory part is for memorizing an incoming call history. The second memory part is for storing telephone directory data, which includes at least one phone number to be automatically dialed. From this, it is apparent that the phone number comparison part compares different phone numbers, at least one incoming phone number and at least one phone number to be automatically dialed. Thus, the phone of Applicants' claim 1 is quite different from Chow's phone.

It is because Applicants include the feature of "... comparing the incoming phone number ... with the ... phone number to be automatically dialed ..." that the following advantages are achieved. Namley, Applicants' phone allows for automatically dialing back an incoming call only if the incoming call is one the user would likely want to dial back. That is, by comparing the at least one incoming phone number with the at least one automatic dial number, the phone can determine if the user would want to dial back

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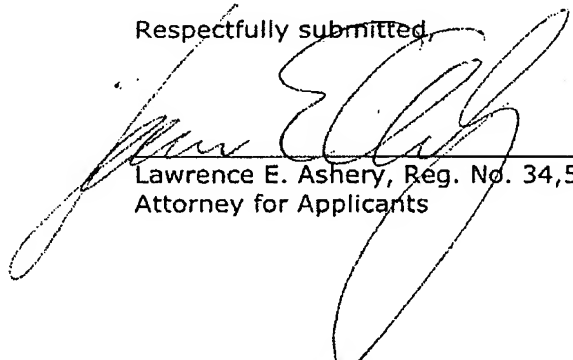
the incoming phone number. The phone does not dial back the incoming phone number if it does not match an automatic dial number stored in the memory.

Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claims 6-8 include all the features of claim 1 from which they depend. Thus, claims 6-8 are also patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,


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